

To: City Clerk
Fax #: 915-541-4306
Re: City Council Agenda Item
Date: September 14, 2004
Pages: Two, including this cover sheet.

04 SEP 14 PM 12:5

FACSIMILE

ATTN: City Clerk

Dear City Clerk:

I would like the following item added to the City Council Agenda for September 21, 2004:

Discussion and Action on a Resolution to rescind the August 31, 2004, Resolution establishing a six person ad hoc committee on (what is commonly referred to as) Arroyo Preservation. (A copy of the Resolution for discussion and action is attached.)

Sincerely,

Richard Schecter
733 A Espada Drive
El Paso, TX 79912-1946
915-845-2850 (Voice)
915-845-2851 (FAX)
rjs41@alumni.cwru.edu

Whereas, the resolution of August 31, 2004, establishing a six-member ad hoc committee to investigate and define geologically occurring contours on and around the Franklin Mountains that could serve as water conveyance and/or runoff channels, define same, assess impact to commercial and residential development within and around such area, review impact to development within those areas, review various legal authority, planning and engineering data regarding same, and return to the El Paso City Council within 90 days with an appropriate ordinance does not contain members of the public;

Whereas, the resolution of August 31, 2004, establishing a six-member ad hoc committee to investigate and define geologically occurring contours on and around the Franklin Mountains that could serve as water conveyance and/or runoff channels, define same, assess impact to commercial and residential development within and around such area, review impact to development within those areas, review various legal authority, planning and engineering data regarding same, and return to the El Paso City Council within 90 days with an appropriate ordinance does not provide direction to the committee to investigate Southwestern cities that have similar natural occurrences and review any and all ordinances/statutes that may have been developed at a municipal and/or county/state/federal level;

Whereas, the resolution of August 31, 2004, establishing a six-member ad hoc committee to investigate and define geologically occurring contours on and around the Franklin Mountains that could serve as water conveyance and/or runoff channels, define same, assess impact to commercial and residential development within and around such area, review impact to development within those areas, review various legal authority, planning and engineering data regarding same, and return to the El Paso City Council within 90 days with an appropriate ordinance does not properly implement Agenda Item 19B of the August 16, 2004, City Council meeting;

Therefore, be it resolved that El Paso City Council declares a "do over" and does hereby rescind the August 31, 2004, Resolution establishing said committee.

To: City Clerk
Fax #: 915-541-4306
Re: City Council Agenda Item
Date: September 15, 2004
Pages: Two, including this cover sheet.

FACSIMILE

ATTN: City Clerk

Dear City Clerk:

I would like the attached item added to the City Council Agenda for September 21, 2004.

Sincerely,



Richard Schecter
733 A Espada Drive
El Paso, TX 79912-1946
915-845-2850 (Voice)
915-845-2851 (FAX)
rjs41@alumni.cwru.edu

SEP 14 11:51 AM '04

Whereas, the resolution of August 31, 2004, establishing a six-member ad hoc committee to investigate and define geologically occurring contours on and around the Franklin Mountains that could serve as water conveyance and/or runoff channels, define same, assess impact to commercial and residential development within and around such area, review impact to development within those areas, review various legal authority, planning and engineering data regarding same, and return to the El Paso City Council within 90 days with an appropriate ordinance does not contain members of the public;

Whereas, the resolution of August 31, 2004, establishing a six-member ad hoc committee to investigate and define geologically occurring contours on and around the Franklin Mountains that could serve as water conveyance and/or runoff channels, define same, assess impact to commercial and residential development within and around such area, review impact to development within those areas, review various legal authority, planning and engineering data regarding same, and return to the El Paso City Council within 90 days with an appropriate ordinance does not provide direction to the committee to investigate Southwestern cities that have similar natural occurrences and review any and all ordinances/statutes that may have been developed at a municipal and/or county/state/federal level;

Whereas, the resolution of August 31, 2004, establishing a six-member ad hoc committee to investigate and define geologically occurring contours on and around the Franklin Mountains that could serve as water conveyance and/or runoff channels, define same, assess impact to commercial and residential development within and around such area, review impact to development within those areas, review various legal authority, planning and engineering data regarding same, and return to the El Paso City Council within 90 days with an appropriate ordinance does not properly implement Agenda Item ~~18A~~^{19B} of the August 16, 2004, City Council meeting;

Therefore, be it resolved that El Paso City Council declares a "do over" and hereby resends the August 31, 2004, Resolution establishing said committee.

RESOLUTION

WHEREAS, on August 31, 2004, the El Paso City Council herein has taken action allowing for the creation of an ad hoc committee to investigate and define geologically occurring contours on and around the Franklin Mountains that could serve as water conveyance and/or runoff channels, define same, assess impact to commercial and residential development within and around such area, review impact to development within those areas, review various legal authority, planning and engineering data regarding same, and return to the El Paso City Council within 90 days with an appropriate ordinance;

WHEREAS, Council is of the determination that such committee should be for the sole purpose listed above and shall terminate upon completion of the assigned task; and

WHEREAS, such committee is to consist of three representatives of the El Paso Association of Builders as same may be chosen by the president of that association, Dr. David V. LeMone of the University of Texas at El Paso or his assign, an engineering representative, and a planning representative; and

WHEREAS, City Council herein finds that the proposed committee membership is chosen by Council, that such membership is representative of the will of Council, and is fair and uniform in nature as to the interests of each Council member;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

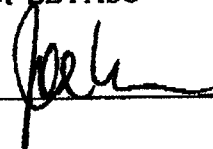
1. That a six person committee is herein formed, such committee to consist of three representatives of the El Paso Association of Builders as same may be chosen by the president of that association, Dr. David V. LeMone of the University of Texas at El Paso or his assign, an engineering representative from the City engineering department to be chosen by the City Engineer, and a planning representative from the Department of Planning, Research, & Development to be chosen by the Director of that department;
2. That this six person committee shall meet at least once a week, three persons necessary for purposes of a quorum, and shall investigate and define geologically occurring contours on and around the Franklin Mountains that could serve as water conveyance and/or runoff channels, define same, assess impact to commercial and

residential development within and around such area, review impact to development within those areas, review various legal authority, planning and engineering data regarding same, and return to the El Paso City Council within 90 days with an appropriate ordinance;

3. Work to obtain recommendations, at a minimum, from the El Paso Development Coordinating Committee and El Paso City Plan Commission prior to presentation of an appropriate ordinance to Council;
4. Allow for administrative assistance from a member of the El Paso Representative District #2 office as well as the Department of Planning, Research, & Development.

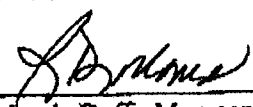
ADOPTED this 31st day of August 2004.

THE CITY OF EL PASO



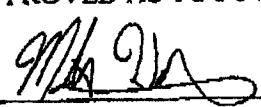
Joe Wardy
Mayor

ATTEST:



Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Matt Watson
Assistant City Attorney

APPROVED AS TO CONTENT:



George Sarmiento,
Director of Planning, Research, &
Development